

IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS
WICHITA FALLS DIVISION

TERRY LYNN WEAVER & CATHY LAVONNA WEAVER

CASE NO. 09-70435-HDH-13

AKA1:
DBA1: T & C BACKHOE SERVICE
SS#1: xxx-xx- 4613

AKA2:
DBA2:
SS#2: xxx-xx- 2215

REPORT OF 341 MEETING

I. 341 MEETING REPORT:

A. Orig. Date: 9/24/2009 Orig. Time: 3:00 PM Reset Date: Reset Time:

B. Meeting Results: Adjourned

C. Debtor(s): Debtor 1 Appeared Debtor 2 Appeared

D. Attorney for Debtor(s): Appeared

E. Creditor Appearance: None

F. Amount Paid to the Trustee as of 9/25/2009 \$240.00 First Payment Due Date: 9/26/2009

G. File Trustee's Motion to Dismiss because

H. B22C Information: B22C Form is: Incomplete
Budgeted Income: \$1,917.50 Expense: \$1,677.50 Surplus: \$240.00
Plan Payment: \$240.00 Monthly Plan Term(Months): 36

I. Value of Non-Exempt Property: \$0.00 Proposed Amount to Unsecured Creditors: \$0.00
Objection to Exemption of:
Repeat Filing (If case dismissed, it should be with prejudice) Previous Case Numbers:
Object to Invoke Stay Pleading
Case Converted from Chapter 7, Bar Date Set: 12/23/2009 Date Converted from Chapter 7:

J. Required Information: Complete income records/affidavit, Tax Returns, WW Directive, Bank Statements

K. Business Information:

L. Object to Confirmation: Yes
22c can't be verified until stubs/affidavit and bank statements are received
Failure to include all disposable income

M. Financial Management Class: Debtor 1 Appeared Debtor 2 Appeared

N. Eligibility:
Certificate of Credit Counseling Filed: Both Debtor 1 and Debtor 2
Credit Counseling Provider Approved: Yes
Debt Limits Exceeded (Secured-\$1,010,650; Unsecured-\$336,900): No

O. Domestic Support Obligation: \$0.00 Current: Arrears: \$0.00
Affidavit and Disclosure of Domestic Support Obligations Received: Yes

P. Remarks: MTD
-Need complete income records or affidavit.
-No tax returns received
-Mr. was employed so a WW may be required.
-Need bank statements for:
-2495 Herring Bank
-1557 Union Square FCU
Questions
-Were all of the creditors were noticed?
Yes
-There are very few unsecured creditors listed; especially for a small business.
-Was the business closed or sold?
Closed

Chapter 13 Trustee

6308 Iola Avenue Lubbock, TX 79424

(806) 748-1980 Phone (806) 748-1956 Fax

-No equipment or inventory remaining?
Yes, but they were surrendered,
-All businesses are closed permanently?
No intent.
-22c can't be verified until stubs/affidavit and bank statements are received.
-Mr. & Mrs. Employed or looking?
-When, Where, Hourly, Need Stubs & WW
Not employed at this time.
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Objections
-22c can't be verified until stubs/affidavit and bank statements are received
-Requested pay stubs & WW for Mr. & Mrs. New jobs
Will not requesting these.
-Failure to include all disposable income

Dated: 9/24/2009

/s/ Walter O'Cheskey

Standing Bankruptcy Trustee
By: Brent Hagan

Case Number:	09-70435
Debtor:	Weaver
Attorney:	MJW
Presiding Officer:	Brent Hagan
Calculation Date:	9/23/2009 13:15

Domestic Support Input name from Plan	Arrears Enter amount from Plan	Int. Rate Enter from Plan	Term Per Plan	Calculated Monthly Payment	Total Pmt. Per Term of Plan
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00

Secured Creditor/Collateral Input name from Plan	Value/Claim Amount Enter amount from Plan	Int. Rate Enter from Plan	Term Per Plan	Calculated Monthly Payment	Total Pmt. Per Term of Plan
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00
	\$0.00	0.00%	1	\$0.00	\$0.00

Priority Creditor Input name from Plan	Value/Claim Amount Enter amount from Plan		Term Per Plan	Calculated Monthly Payment	Total Pmt. Per Term of Plan
	\$0.00		1	\$0.00	\$0.00
	\$0.00		1	\$0.00	\$0.00
	\$0.00		1	\$0.00	\$0.00
	\$0.00		1	\$0.00	\$0.00
	\$0.00		1	\$0.00	\$0.00
	\$0.00		1	\$0.00	\$0.00
	\$0.00		1	\$0.00	\$0.00

Attorney Fees Paid Through the Plan	\$2,719.00		\$2,719.00
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Noticing Fees	\$37.60		\$37.60
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Clerk Filing Fees	\$0.00		\$0.00
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Hardacre Minimum	\$0.00	<div> <div><-----</div> <div>Greater Of -----></div> <div><-----</div> </div>	
Chapter 7 Minimum (Gross)	\$0.00		
Less Trustee Fees	\$0.00		
Less Attorney Fees	\$2,719.00		
Less Noticing Fees	\$37.60		\$0.00
Less Clerk Filing Fees	\$0.00		
Less Scheduled Priority Claims	\$0.00		
Less Other (Explain Below)	\$0.00		
Chapter 7 Minimum (Net)	\$0.00		

Total Scheduled General Unsecured Claims (Limits Greater of Hardacre or Chapter 7 Minimum)	\$25,971.00
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Calculated Base (Admin, Secured, Priority, DSO, Lower of Minimum or Sched U/S & Trustee Fee)	\$3,058.71
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Debtor Plan Base (Monthly Payment X Term)	\$8,640.00
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Surplus (Debtor Plan Base - Calculated Base)	\$5,581.29
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Comments:

Case Number:	0
Debtor:	0
Attorney:	0
Presiding Officer:	0
Calculation Date:	9/23/2009 13:15

Schedule I Gross Income		\$0.00
Less Line 57 B22C		\$0.00
Adjustments (Enter as positive to add, negative to subtract)		
Adjustment out		\$0.00
Month Disposable Income Available		\$0.00
Multiplier		60
Minimum to Unsecureds		\$0.00

Comments: